
UNITED STATES DISTRICT COURT**EASTERN DISTRICT OF TEXAS**

HAROLD MOTEN,

Petitioner,

versus

ZENA STEPHENS,

Respondent.

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CIVIL ACTION NO. 1:22-CV-592

**MEMORANDUM ORDER ADOPTING THE
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Petitioner, Harold Moten, a pre-trial detainee confined at the Lasalle Unit, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, for consideration pursuant to the applicable laws and orders of this court. On December 29, 2022, the magistrate judge entered a Report and Recommendation (#3) in which he recommended dismissing this case for failure to exhaust administrative remedies. To date, Plaintiff has not filed objections to the report.¹

The court received and considered the Report and Recommendation of the United States Magistrate Judge pursuant to such referral, along with the record, pleadings and all available evidence. After careful review, the court finds that the findings of fact and conclusions of law of the United States Magistrate Judge are correct.

¹ Petitioner filed a Motion for Reduction in Bail for Indigence (#5) and Motion to Set Aside Indictment (#6) on January 4, 2023. Neither address the recommendation that the petition be dismissed for failure to exhaust administrative remedies.

Accordingly, the Report and Recommendation of the United States Magistrate judge (#3) is **ADOPTED**. This case is **DISMISSED** for failure to exhaust administrative remedies.

Signed this date

Apr 5, 2023

A handwritten signature in cursive script that reads "Marcia A. Crone". The signature is written in black ink and is positioned above a horizontal line.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE